

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	Criminal No. 7:19-cr-02340
	§	
ERASMO EDUARDO LOYA	§	

NOTICE OF PLEA AGREEMENT

COMES NOW the United States of America, hereinafter referred to as "the Government," by and through its United States Attorney for the Southern District of Texas and its Assistant United States Attorney assigned to this matter, and would respectfully show the Court that the Government and the Defendant have entered into the following plea agreement:

1. Defendant agrees to plead guilty to the Information.
2. The Government will recommend:
 - a. that the offense level decrease by 2 levels pursuant to U.S.S.G. § 3E1.1(a) if the defendant clearly demonstrates acceptance of responsibility;
 - b. that the Indictment dismissed at the time of sentencing.

If the Defendant is not a citizen of the United States of America, a plea of guilty may result in removal from the United States, denial of citizenship and denial of admission to the United States in the future. If the Defendant is a naturalized United States citizen, a plea of guilty may result in denaturalization.

This document states the complete and only Plea Agreement between the United States of America and the Defendant, and is binding only on the parties to this Agreement, and it supersedes all prior understandings, if any, whether written or oral, and cannot be modified other than in writing and signed by all parties or on the record in Court. No other promises or inducements have been or will be made to the Defendant in connection with this case, nor have any promises or threats been made in connection with this plea.

ACKNOWLEDGMENTS:

I have read this agreement and carefully reviewed every part of it with my attorney. If I have difficulty understanding the English language, I have had a person fluent in the Spanish language interpret this agreement to me.

Date: 6/01/21 Defendant: Erasmio Lopez WP BG

I am the Defendant's counsel. I have carefully reviewed every part of this agreement with the Defendant. I certify that this agreement has been translated to my client by a person fluent in the Spanish language if my client is unable to read or has difficulty understanding the English language.

Date: 6/01/21 [Signature]
Counsel for Defense

For the United States of America:

JENNIFER B. LOWERY
Acting United States Attorney

[Signature]
Amy L. Greenbaum
Assistant United States Attorney

APPROVED BY:

[Signature]

Angel Castro
Acting Assistant United States Attorney in Charge

Factual Basis

From on or about November 2016 to on or about June 22, 2019, the defendant, Erasmo Eduardo Loya, contrary to Texas Penal Code § 38.114 (Contraband in Correctional Facility), the defendant provided and attempted to provide a prohibited object, to wit: cocaine, a Schedule II controlled substance, to E.A.T.D., an inmate of the East Hidalgo Detention Center, a correctional facility in which persons are held in custody by direction of and pursuant to a contract and agreement with the Attorney General.

The defendant was employed as a Housekeeper and then as a correctional officer at the East Hidalgo Detention Center.

While the defendant was employed at the facility, he agreed to smuggle contraband items, to include cocaine, to E.A.T.D., an inmate of the East Hidalgo Detention Center. The defendant met with family members of E.A.T.D. where they provided the cocaine to the defendant. Thereafter, the defendant smuggled the cocaine into the facility, where it was provided to E.A.T.D.

The defendant knew he was smuggling cocaine into the facility and he knew the item was a prohibited object.

The providing of the contraband violated Texas Penal Code § 38.114 (Contraband in Correctional Facility).

